

**MINUTES OF THE PUBLIC HEARING HELD BEFORE THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
SEPTEMBER 17, 2008**

A public hearing was held on Wednesday, September 17, 2008, in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana.

Call to Order. Due to the length of prior public hearings, Presiding Officer Mayor William J. Schmitt called the public hearing that was advertised for 6:50 p.m. to order at 6:55 p.m.

Roll Call.

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|----------------------------------|---------|
| Mayor William J. Schmitt | Present |
| Council members: | |
| John Schroeder | Present |
| David Prechtel | Present |
| Thomas Schmidt | Absent |
| Ambrose 'Butch' Schitter | Present |
| Kevin Manley | Present |
| Randall Buchta | Present |
| Raymond Howard | Present |
| City Attorney Sandra Hemmerlein | Present |
| Clerk-Treasurer Juanita S. Boehm | Present |

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the hearing, a majority of the council members must be in attendance. Six of the seven council members were in attendance, which is a majority; therefore, there was a quorum for the hearing.

Purpose. Mayor Schmitt said the purpose of the public hearing was to receive public input concerning the petition of the Estate of Mary Ann Haas to vacate a public utility and drainage easement located between Lot numbers 12 and 13 in the Bohn-Villa subdivision.

A notice appeared in the Herald on August 29, 2008. A notice was also posted at city hall and faxed to the news media.

Sylvia Bullock and Tony Haas, representing the Estate of Mary Ann Haas, displayed a map of the Bohnert Court area. The easement is in the middle of two lots and to make it easier to sell the lots, they want to move the easement to the edge of Lot 13.

City Attorney Sandra Hemmerlein said electric and wastewater have lines in the area but the lines are not in the easement; instead they use this easement for ingress and egress to get to their lines. Because the wastewater manager said he needs to have a 20 ft easement for ingress and egress, the easement between Lots 12 and 13 could be vacated as long as it is moved to the edge of Lot 13 and a new ingress and egress easement is obtained. Hemmerlein said the petitioners have agreed and will sign the appropriate paperwork if their vacation request is approved.

Mayor Schmitt then asked for public comments. No comments were received.

A **motion** was made by Council member Ambrose ‘Butch’ Schitter, and seconded by Council member John Schroeder to close the public hearing. The motion carried 6-0 and the hearing closed at 7:03 p.m.

The minutes were hereby approved _____ with **X** without corrections or clarification this 22nd day of October, 2008.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary